

### **DETAILED ACTION**

1. Examiner initiated telephone interview was held on 05/27/09 and 05/29/09 with Applicant's representative, Scott A. McKeown, to solve 101 and 112 problems, to delete hyperlink from the disclosure and to included dependent claims with the base claims to particularly point out the applicant's invention. The Applicant's representative authorized the Examiner to amend the claims by Examiner's amendment as shown below.

### ***Response to Amendment***

2. In response to communications filed on 02/19/2009, claims 1-13 has been presented, applicant has amended claims 1, 7, 8 and 13. In the current office action claims 1, 2, 5-8 and 11-13 are pending as allowed claims 3, 4, 9 and 10 are cancelled.
3. The objection to the specification for lack of support, in claim 13 "processor", is withdrawn in view of applicant's argument.
4. The objection to claims 7 and 13 is withdrawn in view of applicant's amendment.
5. The 112 rejection to claims 1, 7, 8 and 13 is withdrawn in view of applicant's amendment.

### ***Response to Arguments***

6. Applicants arguments submitted on 02/19/2009 are persuasive.

### ***EXAMINER'S AMENDMENT***

7. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's representative, Scott A. McKeown, on May 27, 2009 and June 1, 2009.

The **disclosure** is amended as follows:

**Please delete line 16 on page 3 as follows:**

~~[http://www.dtep.com/data/info\\_20040107\\_dtep\\_Vol 1 ip3.pdf](http://www.dtep.com/data/info_20040107_dtep_Vol 1 ip3.pdf)~~

**Please delete line 9 on page 4 as follows:**

~~[http://www.dtep.com/data/info\\_20040107\\_dtep\\_Vol 1 Ip3.pdf](http://www.dtep.com/data/info_20040107_dtep_Vol 1 Ip3.pdf)~~

The **claims** are amended as follows:

Claims **1, 5, 6, 7, 8, 11, 12, and 13** are amended and claims **3, 4, 9 and 10** are canceled.

1. (Currently Amended) A communication processing apparatus ~~for executing a communication process via a network~~, comprising:

a central processing unit to execute communication processes via a network;

a communication unit configured to implement a communication process related to an authentication process according to a predetermined authentication method, the

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communication process being performed in order to acquire secret information permitted to be disclosed only to devices in a local network corresponding to said predetermined authentication method; unique identification information of a communication destination device in said communication process is acquired by data processing at a network layer or lower of an open system interconnection (OSI) ~~OSI~~ reference model; unique identification information of an authentication partner device is acquired in an extended authentication sequence of said predetermined authentication method upon execution of a process command at ~~the~~ an application layer of the OSI reference model, the application layer process command being provided within a packet of the authentication process that is processed at the network layer or lower of the OSI reference model; said acquired unique identification information of said communication destination device is compared with said acquired unique identification information of said authentication partner device; and based upon a successful match resulting from the compared ~~data~~ unique information, a process is executed to judge whether said authentication partner device is a device connected to ~~[[a]]~~ the same local network as a local network to which a local device being a communication source device is connected; wherein said unique identification information received from said communication destination device is a node unique ID defined in IEEE 1394 standards; and wherein said communication processing apparatus is configured to receive, as said unique identification information received from said communication destination device, identification information acquired from a PHY communication unit of said communication destination device and identification information acquired by a network communication unit of said communication destination device, and compare said identification information acquired from the PHY communication unit of said

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communication destination device and the identification information acquired by the network communication destination device.

3. (Cancelled)

4. (Cancelled)

5. (Currently Amended) The communication processing apparatus as claimed in Claim 1, wherein said unique identification information received from said communication destination device is a device address defined in communication standards.

6. (Currently Amended): The communication processing apparatus as claimed in Claim 1, wherein said communication processing apparatus is configured to receive, as an identification information received from said communication destination device, a device address as a source address of a packet transmitted from said communication destination device, and a device address stored in a packet by said data processing at ~~[[an]]~~ said application layer or data based on the device address at the application layer, and compare ~~a plurality of these device addresses~~ said device address as said source address of said packet and said device address stored in the packet.

7. (Currently Amended) A communication controlling method ~~for executing a communication process via a network, said method~~ comprising:

a central processing unit to execute communication processes via a network;

acquiring unique identification information of a communication destination device in a communication process by data processing at a network layer or lower of an open system interconnection (OSI) OSI reference model, and acquiring unique identification information of an authentication partner device in an extended authentication sequence of a predetermined authentication method upon execution of a process command at ~~[[the]]~~ an application layer of the OSI reference model, the application layer process command being provided within a packet of ~~[[the]]~~ an authentication process that is processed at the network layer or lower of the OSI reference mode;

performing a matching of said acquired unique identification information of said communication destination device with said acquired unique identification information of said authentication partner device; ~~and~~

judging, based upon a successful matching, whether said authentication partner device is a device connected to a same local network as a local network to which a local device being a communication source device is connected; wherein said unique identification information received from said communication destination device is a node unique ID defined in IEEE 1394 standards; and wherein in said acquiring receives, as said unique identification information received from said communication destination device, identification information acquired from a PHY communication unit of said communication destination device and identification information acquired by a network communication unit of said communication destination device, and comparing processing matches said identification information acquired from said PHY communication unit of said communication destination device and identification

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information acquired by said network communication unit of said communication destination device.

8. (Currently Amended) The communication controlling method as claimed in Claim 7, wherein said acquiring ~~of~~ said unique identification information received from said authentication partner device is received as processed data generated by an encryption process or a hash value generation process based on secret information shared with said communication source device.

9. (Cancelled)

10. (Cancelled)

11. (Currently Amended) The communication controlling method as claimed in Claim 7, wherein said unique identification information received from said communication destination device is a device address defined in communication standards.

12. (Currently Amended) The communication controlling method as claimed in Claim 7, wherein said acquiring receives, as said unique identification information received from said communication destination device, a device address as a source address of a packet transmitted from the communication destination device, and a device address stored in a packet by said data processing at the application layer or data based on the device address at the application layer, and said matching matches ~~a plurality of these device addresses~~ said device address as the source address of the packet and said device address stored in the packet.

13. (Currently Amended) A computer readable storage medium encoded with computer program instructions which, when executed, cause a processor to execute a method of communication via a network, said method comprising:

acquiring unique identification information of a communication destination device in a communication process by data processing at a network layer or lower of an open system interconnection (OSI) ~~OSI~~ reference model, and acquiring unique identification information of an authentication partner device in an extended authentication sequence of a predetermined authentication method upon execution of a command at ~~[[the]]~~ an application layer of the OSI reference model, the application layer process command being provided within a packet of ~~[[the]]~~ an authentication process that is processed at the network layer or lower of the OSI reference mode;

performing a matching of said acquired unique identification information of said communication destination device with said acquired unique identification information of said authentication partner device; ~~and~~

judging, based upon a successful matching, whether said authentication partner device is a device connected to a same local network as a local network to which a local device being a communication source device is connected;

wherein said unique identification information received from said communication destination device is a node unique ID defined in IEEE 1394 standards; and wherein said communication processing apparatus is configured to receive, as said unique identification

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information received from said communication destination device, identification information acquired from a PHY communication unit of said communication destination device and identification information acquired by a network communication unit of said communication destination device, and compare said identification information acquired from the PHY communication unit of said communication destination device and the identification information acquired by the network communication destination device.

***Allowable Subject Matter***

8. Claims 1, 2, 5-8 and 11-13 are allowed.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELEN I A. SHIFERAW whose telephone number is (571)272-3867. The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser R. Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eleni A Shiferaw/

Examiner, Art Unit 2436